

**SOUTH DAKOTA DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS**

**Wood School District
Continuous Improvement Monitoring Process Report 2005-2006**

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Dates of On Site Visit: February 7, 2006

Date of Report: February 24, 2006

This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by Special Education Programs. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

Promising Practice	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
Meets Requirements	The district/agency consistently meets this requirement.
Needs Improvement	The district/agency has met this requirement but has identified areas of weakness that left unaddressed may result in non-compliance.
Out of Compliance	The district/agency consistently does not meet this requirement.
Not applicable	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

Principle 1 – General Supervision
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General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

Steering Committee Self-Assessment Summary

Data sources used:

- State data tables
- File reviews
- Parent, student, and general educator surveys

- Age at placement
- Needs assessment information
- Personnel training

Promising practice

The school district used assessment data from various sources besides Dakota STEP to determine student progress, as well as reviewing past and present performances.

Meets requirements

Based on files, publications, and surveys received, the school district has an established and effectively implemented child find system to locate, identify, and evaluate children with disabilities, ages birth through 21 years, who may need special education. The school district, along with cooperating agencies, have an effective pre-referral and referral system in place that ensures students are identified as quickly as possible.

There are no private schools in the district. When the Wood School District refers or places a child with disabilities in a private school or facility, the school district ensures special education and related services are provided in accordance with requirements of Individuals with Disabilities Act (IDEA).

The district uses data-based decision making procedures to review and analyze school district level data to determine if the school district/agency is making progress toward the state's performance goals and indicators. The district reviews and analyzes discipline data and revises policies/procedures if significant discrepancies are occurring between the long-term suspension and expulsion rates for children with and without disabilities.

The district comprehensive plan has established procedures for the employment of special education personnel who have the special education endorsements as required in state rules, including child evaluators who work with children with disabilities. The district implements procedures to determine personnel development needs and utilizes agencies that provide sessions to meet those needs.

Needs improvement

The school district is not always able to send staff members to all personnel development sessions that are identified as needs.

Validation Results

Promising practice

The monitoring team could not validate the school district use of assessment data from various sources besides Dakota STEP to determine student progress, as well as reviewing past and present performances as an area of promising practice for the district.

Meets requirements

The monitoring team agrees with all areas identified as meeting requirements for Principle One: General Supervision, as concluded by the steering committee.

Needs improvement

The monitoring team agrees with the needs improvement area identified by the district.

Principle 2 – Free Appropriate Public Education

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3rd birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

Steering Committee Self-Assessment Summary

Data sources used:

- State data tables
- Student progress data
- Surveys
- Student referrals and evaluations

Meets requirements

The school district provides a free appropriate public education (FAPE) to all eligible children with disabilities. The district has had no students suspended or expelled. Policies are in place to address this issue should the need arise.

Validation Results

Meets requirements

The monitoring team agrees with all areas identified as meeting requirements for Principle Two: Free Appropriate Public Education (FAPE), as concluded by the steering committee

Principle 3 – Appropriate Evaluation

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

Steering Committee Self-Assessment Summary

Data sources used:

- State data tables
- File reviews
- Surveys
- Exit and re-entry into special education
- General curriculum information
- Comprehensive plan
- Initial referral log
- List of tests currently used in the district
- List of out of district testing services used by the district
- Personnel with designated certification

Meets requirements

The district provides appropriate written notice and obtains informed consent before assessments are administered to a child as part of an evaluation or reevaluation. Based on student file reviews, evaluation or reevaluation procedures and instruments meet the minimum requirements.

The district ensures proper identification of students with disabilities through the evaluation process. The school district ensures reevaluations are conducted in accordance with all procedural requirements to ensure students are appropriately evaluated for continuing eligibility.

Validation Results

Meets requirements

The review team agrees with the steering committee that data for Principle Three: Appropriate Evaluation meets the requirements, with the exception of parent participation/input into the evaluation planning process, reevaluation, appropriate evaluations, eligibility criteria and timelines. See information under: Needs Improvement and Out of Compliance

Needs improvement

ARSD 24:05:25:06. Reevaluation, Notification to parent(s)

If no additional data are needed to determine continuing eligibility, the district shall notify the parents of that determination and reasons for it and of the right of the parent to request an assessment, for purposes of services under this article, to determine continuing eligibility.

The review team found in one student file that the district did not notify parents that previous ability performance scores would be used to determine eligibility.

Out of compliance

ARSD 24:05:25:04:02. Determination of needed evaluation data

As part of an evaluation, the individual education program team and other individuals with knowledge and skills necessary to interpret evaluation data, determine whether the child has a disability, and determine whether the child needs special education and related services, as appropriate, shall: review existing evaluation data on the child, including evaluations and information provided by the parents of the child; current classroom-based assessments and observations; and observations by teachers and related services providers.

File reviews completed by the team indicated parental input into the evaluation process was not documented. Staff interview concluded they were not familiar with this requirement.

ARSD 24:05:25:04.7-8 Evaluation procedures

The district is required to ensure, at a minimum, that evaluation procedures include the following: a child is assessed in all areas related to the suspected disability, including as applicable, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities. The evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.

In one of two initial evaluations completed in November 2005, the monitoring team did not find documentation to support the student was assessed in all areas related to the suspected disability.

ARSD 24:05:25:04 Evaluation Procedures - 300.301 Initial Evaluations.

Within 60 days of receiving parent consent for initial evaluation the district must have made the determination of eligibility for special education services, developed the individual education program

and determined placement of services. In two student files reviewed by the monitoring team, the sixty-day timeline was not adhered to by the district.

Issues requiring immediate attention

ARSD 24:05:24.01:11 Mental retardation

Mental retardation is significantly below-average intellectual functioning existing concurrently with deficits in adaptive behavior and is generally manifested before age eighteen. The required evaluative components for identifying a student with mental retardation are as follows:

- (1) General intellectual functioning two standard deviations or more below the mean as determined in accordance with §24:05:25:04;
- (2) Exhibits deficits in adaptive behavior which are commensurate with the level of intellectual functioning as determined by an individual evaluation in accordance with §24:05:25:04; and
- (3) Evidence on an individually administered test of academic or pre-academic skills that are commensurate with intellectual functioning.

A student file review completed by the monitoring team indicated an initial evaluation was completed in November 2005. Documentation was not found to support the student's disability condition of mental retardation. Evidence on an individually administered achievement test was not commensurate with the student's intellectual functioning. The district must reconvene this student's IEP committee and determine what if any additional evaluation data is needed to determine appropriate eligibility for special education or special education and related services.

Issue requiring immediate attention

ARSD 24:05:25:0 Criteria for determining the existence of a learning disability

The individual education planning (IEP) team may determine that a student is a student with a learning disability when the child's evaluation results display a severe discrepancy between achievement and intellectual ability in one or more of the following areas: oral expression, listening comprehension, written expression, basic reading skill, reading comprehension, mathematics calculation, or mathematics reasoning.

In three of four files reviewed by the monitoring team, it was determined there is not sufficient evidence to support the student's disability of specific learning disability (SLD). In one student file, there was no multi-disciplinary team (MDT) report found. In the other two student files, the MDT reports lacked documented information to determine SLD (i.e. ability and achievement scores, basis of the determination and classroom behavior).

Principle 4 – Procedural Safeguards

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

Steering Committee Self-Assessment Summary

Data sources used:

- State data tables
- File reviews
- Surveys
- Comprehensive plan

- Parental Rights document
- Consent and Prior Notice form
- Public awareness information
- Family Education Rights and Privacy Act (FERPA)

Meets requirements

The district ensures parents are informed of their parental rights under Individuals with Disabilities Act. The district ensures the parents have been fully informed in their native language or another mode of communication (if necessary) of all information relevant to the activity for which consent is sought. The school district ensures that the rights of a child are protected if no parents can be identified through connections with other local agencies designed for this specific purpose of children's protection and rights.

The district provide the parents of a child in need of special education or special education and related services with the opportunity to inspect and review all educational records concerning the identification, evaluation, and educational placement of the child and the provision of a free appropriate public education

The district's comprehensive plan has policies and procedures in place for responding to complaint actions and requests for due process that ensure compliance.

Validation Results

Meets requirements

The review team agrees with the steering committee that data for Principle Four: Procedural Safeguards meets requirements, with the exception of consent for evaluation. See information under: Out of Compliance

Out of compliance

ARSD 24:05:30:04. Prior notice and parent consent

Informed parental consent must be obtained before conducting a first-time evaluation, reevaluation, and before initial placement of a child in a program providing special education or special education and related services.

Consent was not obtained for evaluations administered to students in three of four files reviewed by the monitoring team. For example, a social behavior evaluation was administered but was not included on the prior notice/consent signed by the parent, and an adaptive behavior evaluation was administered without prior notice/consent from the parents. In addition, prior notice/consent was not found in one file for the student's most recent evaluation.

Principle 5 – Individualized Education Program

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- State data tables
- File reviews
- Surveys
- Comprehensive plan
- Needs assessment information
- Student progress data

Meets requirements

The district ensures that written notice is provided for all IEP meetings, and includes all required content. In student files reviewed by the district, the IEP team is comprised of appropriate team membership and meets all identified responsibilities, and that the IEP contains all required content. The district has policies and procedures in place to ensure an appropriate IEP is developed and in effect for each eligible student

Validation Results

Meets requirements

The monitoring team agrees with the steering committee that data for Principle Five: Individualized Education Program meets requirements, except in the areas of present level of performance and transition. See information under: Out of Compliance.

Out of compliance

ARSD 24:05:27:01.03 Content of individualized education program (IEP)

Present level of performance

A student's IEP must contain present levels of performance based upon the skill areas affected by the student's identified disability. The present levels of performance are based upon the functional assessment information gathered during the comprehensive evaluation process.

In files reviewed, present levels of performance (PLOP) did not consistently contain the required content (i.e. specific skill area(s) affected by the student's disability, to include strengths and needs, along with how the disability affects the student's involvement in the general curriculum and parent input). File reviews indicated a need to improve functional assessments to acquire the skill-based information to develop present levels of performance for students eligible for special education services.

ARSD 24:05:27:01.03(1) Content of individualized education program (IEP) and ARSD 24:05:27:13.02 Transition Services

Transition services are a coordinated set of activities for a student with a disability, designed within a results-oriented process, that is focused on improving the academic and functional achievement of the student with a disability to facilitate the student's movement from school to post-school activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities shall be based on the individual student's needs, taking into account the student's strengths, preferences and interests, and shall include instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation.

Through file reviews and interview with staff, the review team concluded transition assessments are completed; however, the information was not documented in student's present level of performance (PLOP). The present levels of performance for the five transition areas (employment, independent living, community participation, adult services and post secondary) should be based upon the functional assessment information. The present levels of performance lacked the student's strengths, weakness/needs regarding school to secondary activities.

Transition services and activities need to be utilized as a planning device to help ensure the students achieved their desired outcomes for employment and independent living. Although file reviews indicate improvement in developing a written plan on how the students would meet their postsecondary outcomes, the district needs to improve the coordination of the activities with the assessments, which are completed for transition. The student's IEP did not have a coordinated set of activities, which addressed the individual student's needs.

Out of Compliance

ARSD 24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:

- (2) A statement of measurable annual goals, including academic and functional goals, designed to:
 - (a) Meet the student's needs that result from the student's disability to enable the student to be involved in and progress in the general education curriculum; and
 - (b) Meet each of the student's other educational needs that result from the student's disability;

ARSD 24:05:24:01.01. Students with disabilities defined. Students with disabilities are students evaluated in accordance with chapter 24:05:25 as having autism, deaf-blindness, deafness, hearing impairment, mental retardation, multiple disabilities, orthopedic impairment, other health impairments, emotional disturbance, specific learning disabilities, speech or language impairments, traumatic brain injury, or visual impairments including blindness, which adversely affects educational performance, and who, because of those disabilities, need special education or special education and related services. If it is determined through an appropriate evaluation, under chapter 24:05:25, that a student has one of the disabilities identified in this chapter, but only needs a related service and not special education; the student is not a student with a disability under this article. If consistent with this chapter, the related service required by the student is considered special education; the student is a student with a disability under this article.

A student was identified as specific learning disabled on child count in the area of math. The student's IEP does not contain math goals designed to address the educational needs due to the disability. The student's goals are in reading and writing.

ARSD 24:05:27:01.02 Development, review and revision of the IEP- Consideration of Special Factors

In developing, reviewing, and revising each student's IEP the team shall consider the strengths of the students and the concerns of the parents for enhancing the education of their student, the results of the initial or most recent evaluation of the students as appropriate, and the results of the student's performance on any general state or district-wide assessment program. The individualized education program team also shall: In the case of a student whose behavior impedes his or her learning or that of others, consider, if appropriate, strategies, including positive behavioral interventions, strategies, and supports, to address that behavior.

In four out of five student files reviewed, behavioral assessment and/or present levels of performance contained information regarding the impact of student behavior on educational performance. However, in developing the IEPs for these students, the team checked "no," that the behavior does not impede learning and did not address strategies, including positive behavioral interventions and supports, to address the behaviors.

ARSD 24:05:31:01. Applicability. and ARSD 24:05:27:01.01. IEP team.

The provisions of this chapter only apply to eligible children who are or have been placed in or referred to a private school or facility by a school district as a means of providing special education or special education and related services.

A student's IEP team must include a representative of the school district who: is qualified to provide or supervise the provision of, specially designed instruction to meet the unique needs of students with disabilities; is knowledgeable about the general curriculum; and is knowledgeable about the availability of resources of the school district.

Through two file reviews and staff interviews, the monitoring team determined that a district representative does not participate in IEP meetings held for 9-12 grade students placed in a contracted school district as a means of providing special education or special education and related services.

Principle 6 – Least Restrictive Environment

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- State data tables
- File reviews
- Surveys
- Age of placement
- Needs Assessment information
- Personnel Training

Meets requirements

File reviews and the district comprehensive plan ensure all children receive services in the least restrictive environment with the supports needed for their successful participation.

Validation Results

Meets requirements

The monitoring team agrees with the steering committee that the district is meeting the requirements for Principle Six: Least Restrictive Environment.